



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,834	10/22/2003	Kouji Yamada	023971-0332	4241

22428 7590 04/10/2006
FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

HARRIS, KATRINA B

ART UNIT PAPER NUMBER

3747

DATE MAILED: 04/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/689,834

Applicant(s)

YAMADA ET AL.

Examiner

Katrina B. Harris

Art Unit

3747

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 9, 14 and 15 is/are rejected.
- 7) ☒ Claim(s) 6-8, 11-13 and 16-26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>9/14/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 9, 10, 14 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Muramatsu et al. (6,808,168), with **regard to claim 1**, discloses a vibration damping engine mount for an internal combustion engine, comprising:
a vibration controllable support mechanism (16) that develops a damping vibration in accordance with a variation in an air pressure supplied thereto against a vibration of the internal combustion engine thereon;
a varying air pressure supply section that supplies a varying air pressure to the vibration controllable support mechanism; and an introduction section that introduces one of a negative pressure developed in a negative pressure pump (78) and the atmospheric

Art Unit: 3747

pressure into the vibration controllable support mechanism (16) in accordance with the vibration of the internal combustion engine.

Regarding claim 2, a vibration damping engine mount for an internal combustion engine, comprising:

a vibration controllable support mechanism (16) that supports the internal combustion engine thereon and develops a damping vibration in accordance with a variation in an air pressure supplied thereto against a vibration of the internal combustion engine thereon; and a varying air pressure supplying section that supplies a varying air pressure to the vibration controllable support mechanism, the varying air pressure supplying section including a negative pressure pump (78) to develop a negative pressure and an introduction section that introduces either one of the negative pressure developed by the negative pressure pump and the atmospheric pressure into the vibration controllable support mechanism in accordance with the vibration of the internal combustion engine.

Regarding claim 3, wherein the introduction section comprises: an atmospheric pressure introduction passage into which the atmospheric pressure is introduced and which is communicable with the vibration controllable support mechanism; a negative pressure introduction passage into which the negative pressure developed in the negative pressure pump is introduced and which is communicable with the vibration controllable support mechanism (16); and a passage communication control section that controllably communicates either one of the atmospheric pressure introduction passage

and the negative pressure introduction passage with the vibration controllable support mechanism (10) .

Regarding claim 4, a vibration damping engine mount for an internal combustion engine having an intake air passage, comprising:
a vibration controllable support mechanism (16) having the intake air passage thereon and develops a damping vibration in accordance with a variation in an air pressure supplied thereto against a vibration of the internal combustion engine thereon; and an introduction section that introduces either one of the atmospheric pressure or a positive pressure developed within the intake air passage in accordance with a driving condition of the engine and the negative pressure developed in a negative pressure pump in accordance with the vibration of the internal combustion engine.

Regarding claim 5, a vibration damping engine mount for an internal combustion engine having an intake air passage, comprising:
a vibration controllable support mechanism that supports the internal combustion engine having the intake air passage thereon and develops a damping vibration in accordance with a variation in an air pressure supplied thereto against a vibration of the internal combustion engine thereon; a varying air pressure supplying section that supplies a varying air pressure to the vibration controllable support mechanism; and a positive pressure developing section that develops a positive pressure within the intake air passage in accordance with the driving condition of the internal combustion engine(see column 12, lines 59-65), the varying air pressure supplying section comprising: an introduction section that introduces either one of the atmospheric pressure or a positive

pressure developed in the intake air passage by means of the positive pressure developing section and the negative pressure developed into the vibration controllable support mechanism in accordance with the vibration of the internal combustion engine.

Regarding claim 9, a vibration damping engine mount for an internal combustion engine having an intake air passage comprising:
a vibration controllable support mechanism (16) that supports the internal combustion engine having the intake air passage thereon and develops a damping vibration in accordance with a variation in an air pressure supplied thereto against a vibration of the internal combustion engine thereon;
a varying air pressure supplying section that supplies the varying air pressure to the vibration controllable support mechanism; and an introduction section that develops a positive or negative pressure the intake air passage in accordance with a driving condition of the internal combustion engine and introduces either one of the air pressure developed in the intake air passage and the atmospheric pressure into the vibration controllable support mechanism (16) accordance with the vibration of the internal combustion engine.

Regarding claim 10, a vibration damping engine mount for an internal combustion engine having an intake air passage, comprising:
a vibration controllable support mechanism (16) that supports the internal combustion engine having the intake air passage thereon and develops a damping vibration in accordance With a variation in an air pressure supplied thereto against a vibration of the internal combustion engine thereon;

a varying air pressure supplying section that supplies a varying air pressure to the vibration controllable support mechanism; and a positive and negative pressure developing section that develops a positive pressure or a negative pressure in the intake air passage accordance with the driving condition of the internal combustion engine, the varying air pressure supplying section including an introduction section that introduces either one of the air pressure developed in the intake air passage by means of the positive and negative pressure developing section and the atmospheric pressure into the vibration controllable support mechanism in accordance with the vibration of the internal combustion engine.

Regarding claim 14, a vibration damping engine mount for an internal combustion engine, comprising:

a vibration controllable support mechanism (16) that supports the internal combustion engine thereon and develops a damping vibration in accordance with a variation in an air pressure supplied thereto against a vibration of the internal combustion engine thereon; varying air pressure supply means for supplying a varying air pressure to the vibration controllable support mechanism; and introduction means for introducing one of a negative pressure and the atmospheric pressure into the vibration controllable support mechanism in accordance with the vibration of the internal combustion engine. (See Figures 4 and 5)

Regarding claim 15, a method applicable to a vibration damping engine mount for an internal combustion engine the vibration damping engine mount comprising a vibration controllable support mechanism that supports the internal combustion engine

thereon and develops a damping vibration in accordance with a variation in an air pressure supplied thereto against a vibration of the internal combustion engine thereon and the method comprising:
supplying a varying air pressure the vibration controllable support mechanism; and
introducing one of a negative pressure and the atmospheric pressure into the vibration controllable support mechanism. (16) in accordance with the vibration of the internal combustion engine.

Allowable Subject Matter

Claims 6-8, 11-13, 16-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

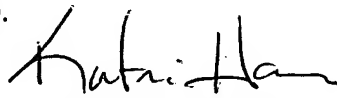
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. U.S. Patent No.6,659,436 issued to Muramatsu et al. is a similar system.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katrina B. Harris whose telephone number is 571-272-4842. The examiner can normally be reached on 5:30 AM -2:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Yuen can be reached on 571-272-4856. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Katrina B. Harris
Examiner
Art Unit 3747

KBH



Tony M. Argenbright
Primary Examiner
Art Unit 3747